

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RUSSELL ROBINSON

CIVIL ACTION

v.

NO. 10-1184

CHAD GRANT, ROGER BOMENBLIT
and FEDERAL U.S. MARSHAL

MEMORANDUM

DUBOIS, J.

APRIL 14, 2010

Plaintiff, a prisoner at the State Correctional Institution at Graterford, has filed a pro se Bivens¹ action against two United States Marshals. Plaintiff is alleging, in essence, that he is the victim of an illegal search and seizure, and that he was falsely arrested by the defendants. In his prayer for relief, he is requesting money damages.

Federal Rule of Civil Procedure 8(a)(2) provides that a pleading setting forth a claim for relief shall contain "a short and plain statement of the claim showing that the pleader is entitled to relief." Plaintiff's Complaint is insufficient because he fails to adequately describe his state criminal proceedings. Since plaintiff is pro se, he will be granted leave to file an Amended Complaint.

If plaintiff intends to pursue this case, he must file an Amended Complaint in which he provides the following information: (1) the date and outcome of his criminal trial; and, (2) the status of any ongoing appellate or Post-Conviction Relief Act Proceedings in state court;

An appropriate order follows.

¹In Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971), the Supreme Court established a direct cause of action under the Constitution against federal officials for the violation of constitutional rights.